

## **Public Comments**

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Oversight Hearing – Management of California’s Groundwater Resources

Assembly Water, Parks and Wildlife Committee

February 1, 2011

Good morning. My name is Tim Parker and I am technical consultant specializing in hydrogeology and groundwater management, and I am please do be able to say I do work for the Sonoma County Water Agency and have been involved with the Sonoma Valley work presented at the hearing today. My active professional association activities include Director on the California Groundwater Coalition, Chair of the American Ground Water Trust, I work on various committees for the National Ground Water Association, and I am on a workgroup with the Advisory Committee on Water Information/Subcommittee on Groundwater to develop a national groundwater monitoring network. I’m here today representing the Groundwater Resources Association of California as a Director and Chair of the Legislative Committee. GRA is the largest state organization of groundwater professionals in the nation with 1400 members. GRA is very active in the California groundwater industry, and puts on 10-12 technical educational programs and symposia annually. We also are actively engaged at the capitol, and in fact we have our legislative symposium coming up April 20<sup>th</sup>, which we hope many of you will be able to attend if not actively participate in.

I commend the Committee on this groundwater hearing, for its content, quality of presentations, and breadth of experience of presenters. I have three areas I would like to provide comment on.

First I would like to say that GRA supports increased groundwater related data quantity, quality, and transparency, recognizing that better science and information leads to better decision-making and management.

- SBX7-6, the groundwater monitoring bill of 2009 – GRA testified in support of this bill, a groundwater monitoring bill in its third or fourth iteration over the past six or seven years, and GRA has been involved with every attempt. This bill is a small step, but a step in the right direction. While California may be the leading groundwater pumping state in the US, California is behind on a national basis with respect to groundwater monitoring, especially coordinated groundwater monitoring. California does have some good programs including GeoTracker, the State Water Resources Control Board run groundwater quality monitoring program, which includes an online accessible data management system of contaminated sites, mostly underground storage tank sites, and the GAMA program of detailed sampling of public supply wells. Additionally, the Department of Water Resources has maintained an inventory of groundwater level monitoring, with data dating back in some cases more than 60 years or more. With SBX7-6, we will now have a groundwater level monitoring system, which includes much more local, focused groundwater level data to assess basin water level trends over time. However, we will still lack the ability to access the

water quality and the water level data at the same time, on the same website online, and as we've discussed in this hearing, water level, water quantity and water quality data are all inter-connected.

- Recharge mapping- GRA supported and co-sponsored Assembly Bill 2304 requiring recharge mapping in all basins in the state of California, which was vetoed by the governor last year, and we hope that assembly member Huffman will consider carrying this bill again this year.
- Well information- I'd like to point out that the law that requires drillers submit well logs to Department of Water Resources was passed in the 1950s, which marks the time when well logs first started getting submitted on a regular basis. Unfortunately, the same law also requires that all well information remains confidential, and California is the only state that has this well information confidentiality clause (Water Code Section 13752). As a result, only public agencies can have access to the well information collected by the Department of Water Resources with the exception of when a contamination investigation is involved, although local agencies have to maintain this information as confidential. GRA supports updating this outdated code to make the information public and to improve the data quality being collected, and to require that all well logs be submitted electronically – this is the information age isn't it?
- Abandoned wells - Another important piece of information we need in this state is to understand better how many abandoned wells are in our state, that is, wells that are not in use but have not been properly plugged and destroyed. These abandoned wells remain as potential conduits for cross-contamination of our aquifers, and also may pose surface safety hazards. There are possibly thousands of these abandoned wells in existence, which poses a risk to the health and sustainability of our groundwater resources.

GRA supports resource management that protects and improves groundwater.

- Groundwater management in California – GRA supports collaborative approaches that result in active local groundwater management with a foundation of sound science for well-informed planning and decision-making. Water Code Section 10750 et. seq., contains the elements from ABE 3030 and SB 1938 for groundwater management, as discussed for the Sonoma County example. There about 140 other such voluntary management programs in the state.
- Adjudications - There have been 22 adjudications in the state, and all but two are in Southern California. Nearly all the adjudications were initiated or completed prior to the groundwater management act of 1992 (AB 3030) being passed as law.

Finally, I would like to provide a few clarifications regarding the information provided at the hearing today.

- Water law evolved over centuries, however the science foundation for groundwater really did not involve until the middle of the last century, long after water law had been established. Groundwater was considered mysterious and

occult, random wandering of water droplets in the subsurface, hence, when many states water laws were put into place in late 1800s, they simply did not know what to do with groundwater.

- Groundwater and surface water, as we heard from Professor Harter's testimony during the first part of the hearing, are connected and both are integral parts of the hydrologic system of the earth. However, groundwater and surface water are not connected in the legal systems in many southwestern states, and in fact are treated as separate systems, for example, in Arizona both are regulated, but regulated separately.
- Active Management Areas (AMAs) - Active management areas were mentioned during the hearing as a potential way to regulate groundwater use in areas of severe overdraft in California. The example used was Arizona, and the basis for Arizona's AMAs is the Arizona Groundwater Management Act of 1980. These active management areas in Arizona have been set up to establish a groundwater permitting system where severe overdraft is occurring, and groundwater use and management in each AMA is coordinated by a Ground Water Users Advisory Council appointed by the governor. Existing water rights are grandfathered based on the last five years of use, withdrawal rights can also be granted to municipal water providers, private water companies, and irrigation districts within AMAs, and domestic users are exempt from consideration. Any new groundwater uses need to be granted a permit by the Groundwater Users Advisory Council. My understanding is that these Arizona AMAs all are continuing in overdraft as evidenced by continuing decline in groundwater levels, which suggests that there should be a much closer look at these AMAs prior to considering this option further for California.

Thanks for the opportunity to provide these comments, and keep up the good work at the capitol. As a reminder, GRA is a great resource for groundwater information with 1400 professionals at your fingertips, so if we can be of assistance please do not hesitate to contact us.